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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

THE STATE OF CALIFORNIA et al.,  
Plaintiffs,  
v.  
INFINEON TECHNOLOGIES AG et  
al.,  
Defendants.

Case No. C 06-4333 PJH  
Assigned for all purposes to the  
Hon. Phyllis J. Hamilton  
**[PROPOSED] AMENDMENT NO. 1 TO**  
**THE APRIL 9, 2007 PROTECTIVE**  
**ORDER**  
Related to MDL. No. 1486

1                   **AMENDMENT NO. 1 TO THE APRIL 9, 2007 PROTECTIVE ORDER**

2                   Based on the Stipulation of the parties, and for good cause shown,  
3 Paragraph 15 of the April 9, 2007 Protective Order entered by this Court is hereby ordered  
4 amended as follows:

5                   15. Filing Protected Material. Without written permission from the party  
6 or non-party who produced documents designated as “Confidential” or “Highly  
7 Confidential” under this Protective order (the “Producing Party”), or a court order  
8 obtained after appropriate notice to all interested persons, a party, other than the  
9 Producing Party, may not file in the public record in this action any documents designated  
10 “Confidential” or “Highly Confidential.” If any documents designated “Confidential” or  
11 “Highly Confidential” would be included in any pleading, memorandum or other court  
12 filing, counsel for the party wishing to include such “Confidential” or “Highly  
13 Confidential” documents shall meet and confer with opposing counsel and/or counsel for  
14 the Producing Party in advance of the filing of any such pleading, memorandum or other  
15 court filing, in order to narrow or eliminate the documents for which the Producing Party  
16 seeks confidential status. In attempting to narrow or eliminate the number of documents  
17 for which the Producing Party seeks confidential status, counsel shall be guided by the  
18 standards set forth in Kamakana v. City and County of Honolulu, 447 F.3d 1172 (9th Cir.  
19 2006). If the meet and confer does not eliminate the need for all or part of the pleading,  
20 memorandum or other court filing in question to be filed under seal, the parties shall  
21 follow the procedures specified in Civil Local Rule 79-5, and shall furthermore support  
22 any request for the sealing of documents with the requisite showing of need, as set forth in  
23 Kamakana.

24  
25                   **IT IS SO ORDERED**  
26                   Dated: June 30, 2008

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28                   LA2:863624.1

